

Memorandum

To : Advice Request Meeting Participants

Date : May 30, 1984

No. T-84-148

ANSWER

Jeanne P. said that we have always broadly interpreted "send." Senate Rules is prohibited from providing reprographics and mailing list.

From : FAIR POLITICAL PRACTICES COMMISSION

Janis Shank McLean *JSM*

Subject: Mass Mailings

FACTS:

A member of the Senate, who is a candidate, provided the Senate Rules Committee with a brochure and asked it to reproduce the brochure and to provide him with the Senate mailing list. A third party will pay the cost of mailing the brochure.

STATUTORY PROVISIONS:

- Section 89001 prohibits a legislative newsletter or other mass mailing from being sent at public expense by or on behalf of any elected state officer after the elected state officer has filed a declaration of candidacy for any office.

QUESTIONS PRESENTED:

Can a third party pay for this mailing?

If so, can the Senate Rules Committee provide the reproduction and mailing list?

DISCUSSION:

It seems to me that the third party can pay for the mailing, as long as the expenditure for the postage is properly reported. However, I do not feel that the Senate Rules Committee should be allowed to reproduce the brochure or provide the mailing list. One way to prohibit this activity would be to interpret the prohibition in Section 89001 (against sending a mass mailing at public expense) to include every aspect of sending the mailing (reproduction, acquisition of mailing lists, postage, etc.), rather than just the cost of postage. (I have checked the file and did not find any letters on this issue.)

Lynn has suggested that, in providing the reproduction and mailing lists, the Committee is making a contribution which may be prohibited by rules outside of the PRA.

What do you think?

JSM:plh